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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/588,903

09/12/2006

Rui Kano

8062-1040

3958

466 7590 05/01/2009

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EXAMINER

SCHWADRON, RONALD B

ART UNIT

PAPER NUMBER

1644

MAIL DATE

DELIVERY MODE

05/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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10588903	9/12/2006	KANO ET AL.	8062-1040

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Ron Schwadron, Ph.D.

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200904

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Commissioner for Patents

The reply filed on 2/12/09 is not fully responsive to the prior Office communication because of the following omission(s) or matter(s).

Regarding applicants comments and the Notice of Non-Compliant amendment mailed 2/6/09, the MPEP section 714 II. C. (A) (page 700-240) states:

For any amendment being filed in response to a restriction or election of species requirement and any subsequent amendment, any claims which are non-elected must have the status identifier (withdrawn). Any non-elected claims which are being amended must have either the status identifier (withdrawn) or (withdrawn - currently amended) and the text of the non-elected claims must be presented with markings to indicate the changes. Any non-elected claims that are being canceled must have the status identifier (canceled).

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Ron Schwadron/
Ron Schwadron, Ph.D.
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